

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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 AMY ARUNDELL, *et al.*, :
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 Plaintiffs, :
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 -against- :
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 UNITED FEDERATION OF TEACHERS, :
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 Defendant. :
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ORDER

VERNON S. BRODERICK, United States District Judge:

Before me is Plaintiff's proposed order to show cause and ex parte motion for preliminary injunction. (Docs. 5, 6.) Plaintiff requests a hearing on this matter to be held on Monday, April 28, 2025. (Doc. 5-1 (Declaration of Arthur Schwartz) ¶ 5.) Plaintiff requests an injunction before or shortly after May 1, 2025, which is the date that Defendant mails out election ballots. (*Id.*) Counsel for Defendant requests at least until Wednesday, April 30, 2025 to submit an opposition. (Doc. 9.) Counsel for Defendant states that even though the ballots will be mailed on May 1, it will "take several days to arrive" and that the "members will then have nearly a month during which to vote, with ballots set to be counted on May 29, 2025." (*Id.*) Plaintiff filed a letter response accusing counsel for Defendant of being "disingenuous" for requesting until April 30, 2025 when they are a "law firm with 53 attorneys" who has had Plaintiff's arguments "in hand for 9 days" since Plaintiff sent Defendant copies of various cases that supposedly support Plaintiff's argument. (Doc. 10.)

Accordingly, it is hereby:

ORDERED that the parties appear before this Court in Courtroom 518 of the U.S.

District Court for the Southern District of New York, 40 Foley Square, New York, New York, on Thursday, May 1, 2025 at 3:30 p.m. regarding the proposed order to show cause and the motion for preliminary injunction.

IT IS FURTHER ORDERED that Defendant shall file an opposition to the motion for preliminary injunction no later than April 29, 2025 at 9 a.m. Plaintiff shall file a reply brief no later than April 30, 2025 at 2 p.m. Late submissions will not be reviewed by the Court. The parties should address, among other things, (1) whether Mr. Michael Mulgrew's email on April 16, 2025 constituted campaign literature that is covered by 29 U.S.C. § 481(c), (2) the administrative procedure for these kinds of complaints, (3) what steps Plaintiff took in that administrative process such that judicial intervention is required at this stage, and (4) the feasibility of delaying Defendant's mailing of the election ballots until this motion is resolved.

IT IS FURTHER ORDERED that Plaintiff shall serve this Order upon Defendant, on or before April 25, 2025.

SO ORDERED.

Dated: April 25, 2025
New York, New York


Vernon S. Broderick
United States District Judge